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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/521,614	ASMUSSEN, MICHAEL L.	
	Examiner	Art Unit	
	Hunter B. Lonsberry	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-5,7,9-26,28,30-47,49 and 51-63 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1, 4, ,7,9,12-18, 22, 25,28,30, 33-39,43,46,49, 51, 54-60 is/are rejected.

7)☒ Claim(s) 3,5,19-21,24,26,40-42,45,47 and 61-63 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that the combination of record does not teach buffering live video (pages 14-17).

In the present Office Action, the Examiner has modified the combination of record to utilize the teachings of Lortz to buffer live video. Further, Cannon discloses a telephone reception system in which a telephone communicates with a VCR or videodisc player, if a user is watching a movie stored on the VCR/videodisc player and receives a phone call, the caller ID is displayed on the user's television and the movie is automatically paused (column 2, lines 41-65), thus enabling a user to accept the incoming call without missing a portion of the movie. As the pausing happens without user intervention the combination teaches each and every element of the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 4 ,5, 7, 9, 12-14, 16, 22, 25, 28, 30, 33-35, 37, 42, 46,47, 49, 51, 54-56, and 58, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,553,178-B2 to Abecassis in view of U.S. Patent 6,510,209 to Cannon, U.S. Patent 6,141,058 to Lagoni,, U.S. Patent 5,729,280 to Inoue and the MSN Web Messenger Reference (of Record) and U.S. Patent 6,349,410 to Lortz (of record).

Regarding claims 1 and 7, Abecassis discloses a method (figure 13) for automatically pausing a video program in response to an occurrence of an event, comprising:

receiving a video program (step 1301, figure 13)and outputting the video program for presentation on a display device;

detecting an occurrence of a communications event during the video program (acceptance of a communication, step 1311):

pausing the video program in response to the detection of the occurrence of the communications event (steps 1321-1323, column 52, lines 43-56);

and

outputting a signal for displaying an indication of the occurrence of the communications event (figures 14a/b, step 1341, displaying an incoming callers contact information and display of data relating to the incoming communication which may include data and images, column 52, lines 34-65).

Abecassis fails to disclose receiving an input from a user, the input identifying at lease one predetermined originator of an incoming request for communications, detecting an occurrence of an incoming request, pausing the video program immediately in response to detecting the incoming request and determining that the originator of the incoming request comprises any of at least one predetermined originators, and buffering the live video program when paused.

Cannon discloses a telephone reception system in which a telephone communicates with a VCR or videodisc player, if a user is watching a movie stored on the VCR/videodisc player and receives a phone call, the caller ID is displayed on the user's television and the movie is automatically paused (column 2, lines 41-65), thus enabling a user to accept the incoming call without missing a portion of the movie.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Abecassis to detect the occurrence of an incoming request and automatically pause the video as taught by Cannon, thus enabling a user to accept the incoming call without missing a portion of the movie.

The combination of Abecassis and Cannon fails to teach buffering the video program when paused, receiving an input from a user, the input identifying at lease one predetermined originator of an incoming request for communications, and determining the originator of an incoming request comprises any of at least one predetermined originators and buffering live video.

Lagoni discloses a television receiver with a telephone network interface unit which can receive and display caller ID information, a user may utilize a priority caller

list to input numbers and identifying information of various users to which the user wants to give a priority status, when a receives a call from one of these users, their caller ID information is overlaid onto the screen, while callers which are not given priority status do not have their caller ID information displayed on screen, instead the phone merely rings, further a history of unanswered telephone calls may be presented to a user (figures 2-5, column 3, line 52-column 4, line 67), thus the viewer is not interrupted by seemingly endless caller ID messages and enables a user to review a list of missed calls (figure 3, column 4, line 50-54).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis and Cannon to utilize the priority status list of Lagoni, for the advantage of preventing a user from being interrupted by seemingly endless caller ID messages and enable a user to review a list of missed calls.

The combination of Abecassis, Cannon and Lagoni fails to teach buffering the live video program when paused and detecting an incoming email message.

Inoue discloses in figure 1, a receiver with a tuner 101 which receives digital video signals from a satellite, CATV or fibre optic network, and includes a buffer memory apparatus 12 which includes memories 14/16 and hard disk 15 which receive information from a recording processor 13 (column 3, line 64-column 4, line 5, 36-column 5, line 4), in response to a pause command, buffering system 12 is activated and stores the currently broadcasted program in memory, the program is then played back in response to a resume command, at the same time the program is continually

buffered (column 7, line 60-column 8, line 34, figures 3 A/B) allowing seamless playback (column 8, lines 23-26) and allowing a user to not miss portions of a program.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon and Lagoni to buffer the incoming video in response to a pause command as taught by Inoue for the advantage of allowing seamless playback of a program and allowing a user to not miss portions of a program.

While Abecassis discloses that the incoming communication may be in the form of paging, messaging or any digital transmission (column 51, lines 22-24), the combination of Abecassis, Cannon, Lagoni, and Inoue does not disclose detecting an incoming email message.

The MSN Messenger service automatically detects and notifies a user when they receive new messages in their email account and is integrated with a user's Outlook Express mail client, thus enabling a user to view an email message on their display device and respond to an urgent communication (entire document).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon, Lagoni and Inoue to detect an email message and display a message as taught by MSN Messenger service thus enabling a user to respond to an urgent communication.

The combination of Abecassis, Cannon, Lagoni, Inoue and MSN Messenger does not teach buffering live video.

Lortz discloses a system which detects incoming web content related to a currently watched program (column 3, lines 31-40), displays a notification to a user, a user then selects the web page for display, and the currently watched program, which is a live video program either streamed from the Internet or a live broadcast source (column 4, line 60-column 5, line 4) is paused and recorded onto a hard drive (Figure 2, column 3, line 29-column 4, line 28).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon, Lagoni, Inoue and MSN Messenger, to detect and display the incoming web page, as taught by Lortz, in order to enable a user to fully watch a program of interest without missing any portion of the broadcast, and provide the additional advantage of learning more about a program through the linked web content.

Regarding claims 4, 9, 25, 29, 30, 46, 50, and 51, Abecassis discloses that the incoming communication may be a paging message (column 51, lines 22-24).

The MSN Messenger service automatically detects and notifies a user when they receive new messages in their email account and is integrated with a user's Outlook Express mail client, thus enabling a user to view an email message on their display device and respond to an urgent communication (entire document).

Regarding claims 12, 33, 54, Abecassis discloses that a user may issue a play command and the video resumes from the same point (column 53, lines 12-49).

Regarding claims 13, 14, 16, 34, 35, 37, 55, 56, and 58, Abecassis discloses the use of a fast forward, rewind and frame advance function (column 40, lines 26-31)

Regarding claims 22 and 28, Abecassis discloses an apparatus (figure 5) for automatically pausing a video program in response to an occurrence of an event, comprising:

a receive module 502 for receiving a video program and outputting the video program for presentation on a display device (display processor 513, column 18, line 52-column 19, line 5, column 20, lines 40-48);

a detection module 500 (RAVIT) for detecting occurrence of a communications event during the video program (acceptance of an incoming call or message, column 52, lines 18-27);

a pause module for pausing the video program in response to the detection of the occurrence of the communications event (column 52, lines 25-42); and

an output module for outputting a signal for displaying an indication of the occurrence of the communications event (display processor 513, column 52, lines 51-56).

Abecassis fails to disclose receiving an input from a user, the input identifying at lease one predetermined originator of an incoming request for communications,

detecting an occurrence of an incoming request, the request coming from other than a viewer of the video program, pausing the video program immediately in response to detecting the incoming request and determining that the originator of the incoming request comprises any of at least one predetermined originators, and a buffering module which buffers in response to the request.

Cannon discloses a telephone reception system in which a telephone communicates with a VCR or videodisc player, if a user is watching a movie stored on the VCR/videodisc player and receives a phone call, the caller ID is displayed on the user's television and the movie is automatically paused (column 2, lines 41-65), thus enabling a user to accept the incoming call without missing a portion of the movie.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Abecassis to detect the occurrence of an incoming request and automatically pause the video as taught by Cannon, thus enabling a user to accept the incoming call without missing a portion of the movie.

The combination of Abecassis and Cannon fails to teach buffering the video program when paused, receiving an input from a user, the input identifying at lease one predetermined originator of an incoming request for communications, and determining the originator of an incoming request comprises any of at least one predetermined originators.

Lagoni discloses a television receiver with a telephone network interface unit which can receive and display caller ID information, a user may utilize a priority caller list to input numbers and identifying information of various users to which the user wants

to give a priority status, when a receives a call from one of these users, their caller ID information is overlaid onto the screen, while callers which are not given priority status do not have their caller ID information displayed on screen, instead the phone merely rings, further a history of unanswered telephone calls may be presented to a user (figures 2-5, column 3, line 52-column 4, line 67), thus the viewer is not interrupted by seemingly endless caller ID messages and enables a user to review a list of missed calls (figure 3column 4, line 50-54).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis and Cannon to utilize the priority status list of Lagoni, for the advantage of preventing a user from being interrupted by seemingly endless caller ID messages and enable a user to review a list of missed calls.

The combination of Abecassis, Cannon and Lagoni fails to teach buffering the video program when paused.

Inoue discloses in figure 1, a receiver with a tuner 101 which receives digital video signals from a satellite, CATV or fibre optic network, and includes a buffer memory apparatus 12 which includes memories 14/16 and hard disk 15 which receive information from a recording processor 13 (column 3, line 64-column 4, line 5, 36-column 5, line 4), in response to a pause command, buffering system 12 is activated and stores the currently broadcasted program in memory, the program is then played back in response to a resume command, at the same time the program is continually

buffered (column 7, line 60-column 8, line 34, figures 3 A/B) allowing seamless playback (column 8, lines 23-26) and allowing a user to not miss portions of a program.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon and Lagoni to buffer the incoming video in response to a pause command as taught by Inoue for the advantage of allowing seamless playback of a program and allowing a user to not miss portions of a program.

While Abecassis discloses that the incoming communication may be in the form of paging, messaging or any digital transmission (column 51, lines 22-24), the combination of Abecassis, Cannon, Lagoni, and Inoue does not disclose detecting an incoming email message.

The MSN Messenger service automatically detects and notifies a user when they receive new messages in their email account and is integrated with a user's Outlook Express mail client, thus enabling a user to view an email message on their display device and respond to an urgent communication (entire document).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon, Lagoni and Inoue to detect an email message and display a message as taught by MSN Messenger service thus enabling a user to respond to an urgent communication.

The combination of Abecassis, Cannon, Lagoni, Inoue and MSN Messenger does not teach buffering live video.

Lortz discloses a system which detects incoming web content related to a currently watched program (column 3, lines 31-40), displays a notification to a user, a user then selects the web page for display, and the currently watched program, which is a live video program either streamed from the Internet or a live broadcast source (column 4, line 60-column 5, line 4) is paused and recorded onto a hard drive (Figure 2, column 3, line 29-column 4, line 28).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon, Lagoni, Inoue and MSN Messenger, to detect and display the incoming web page, as taught by Lortz, in order to enable a user to fully watch a program of interest without missing any portion of the broadcast, and provide the additional advantage of learning more about a program through the linked web content.

Regarding claims 43 and 49, Abecassis discloses a computer program product comprising:

A computer readable medium containing instructions for controlling a computer system (column 2, lines 13-17) to perform a method for automating pausing a video program in response to an occurrence of an event (figure 13)

receiving a video program (step 1301, figure 13)and outputting the video program for presentation on a display device;

detecting an occurrence of a communications event during the video program (acceptance of a communication, step 1311):

pausing the video program in response to the detection of the occurrence of the communications event (steps 1321-1323, column 52, lines 43-56); and

outputting a signal for displaying an indication of the occurrence of the communications event (figures 14a/b, step 1341, displaying an incoming callers contact information and display of data relating to the incoming communication which may include data and images, column 52, lines 34-65).

Abecassis fails to disclose receiving an input from a user, the input identifying at lease one predetermined originator of an incoming request for communications, detecting an occurrence of an incoming request, pausing the video program immediately in response to detecting the incoming request and determining that the originator of the incoming request comprises any of at least one predetermined originators, and buffering the video program when paused.

Cannon discloses a telephone reception system in which a telephone communicates with a VCR or videodisc player, if a user is watching a movie stored on the VCR/videodisc player and receives a phone call, the caller ID is displayed on the user's television and the movie is automatically paused (column 2, lines 41-65), thus enabling a user to accept the incoming call without missing a portion of the movie.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Abecassis to detect the occurrence of an incoming request and

automatically pause the video as taught by Cannon, thus enabling a user to accept the incoming call without missing a portion of the movie.

The combination of Abecassis and Cannon fails to teach buffering the video program when paused, receiving an input from a user, the input identifying at lease one predetermined originator of an incoming request for communications, and determining the originator of an incoming request comprises any of at least one predetermined originators.

Lagoni discloses a television receiver with a telephone network interface unit which can receive and display caller ID information, a user may utilize a priority caller list to input numbers and identifying information of various users to which the user wants to give a priority status, when a receives a call from one of these users, their caller ID information is overlaid onto the screen, while callers which are not given priority status do not have their caller ID information displayed on screen, instead the phone merely rings, further a history of unanswered telephone calls may be presented to a user (figures 2-5, column 3, line 52-column 4, line 67), thus the viewer is not interrupted by seemingly endless caller ID messages and enables a user to review a list of missed calls (figure 3column 4, line 50-54).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis and Cannon to utilize the priority status list of Lagoni, for the advantage of preventing a user from being interrupted by seemingly endless caller ID messages and enable a user to review a list of missed calls.

The combination of Abecassis, Cannon and Lagoni fails to teach buffering the video program when paused.

Inoue discloses in figure 1, a receiver with a tuner 101 which receives digital video signals from a satellite, CATV or fibre optic network, and includes a buffer memory apparatus 12 which includes memories 14/16 and hard disk 15 which receive information from a recording processor 13 (column 3, line 64-column 4, line 5, 36-column 5, line 4), in response to a pause command, buffering system 12 is activated and stores the currently broadcasted program in memory, the program is then played back in response to a resume command, at the same time the program is continually buffered (column 7, line 60-column 8, line 34, figures 3 A/B) allowing seamless playback (column 8, lines 23-26) and allowing a user to not miss portions of a program.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon and Lagoni to buffer the incoming video in response to a pause command as taught by Inoue for the advantage of allowing seamless playback of a program and allowing a user to not miss portions of a program.

While Abecassis discloses that the incoming communication may be in the form of paging, messaging or any digital transmission (column 51, lines 22-24), the combination of Abecassis, Cannon, Lagoni, and Inoue does not disclose detecting an incoming email message.

The MSN Messenger service automatically detects and notifies a user when they receive new messages in their email account and is integrated with a user's Outlook

Express mail client, thus enabling a user to view an email message on their display device and respond to an urgent communication (entire document).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon, Lagoni and Inoue to detect an email message and display a message as taught by MSN Messenger service thus enabling a user to respond to an urgent communication.

The combination of Abecassis, Cannon, Lagoni, Inoue and MSN Messenger does not teach buffering live video.

Lortz discloses a system which detects incoming web content related to a currently watched program (column 3, lines 31-40), displays a notification to a user, a user then selects the web page for display, and the currently watched program, which is a live video program either streamed from the Internet or a live broadcast source (column 4, line 60-column 5, line 4) is paused and recorded onto a hard drive (Figure 2, column 3, line 29-column 4, line 28).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon, Lagoni, Inoue and MSN Messenger, to detect and display the incoming web page, as taught by Lortz, in order to enable a user to fully watch a program of interest without missing any portion of the broadcast, and provide the additional advantage of learning more about a program through the linked web content.

3. Claims 15, 36, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,553,178-B2 to Abecassis in view of U.S. Patent 6,510,209 to Cannon U.S. Patent 6,141,058 to Lagoni, U.S. Patent 5,729,280 to Inoue and MSN Web Messenger Reference (of Record) and U.S. Patent 6,349,410 to Lortz in further view of U.S. Patent 6,543,053 to Li (of record).

Regarding claims 15, 36, and 57, Abecassis discloses the use of a fast forward, rewind and frame advance function (column 40, lines 26-31).

The combination of Abecassis, Cannon, Lagoni, Inoue, MSN Messenger and Lortz does not disclose the use of a slow motion signal.

Li discloses a VOD service, which enables VCR like functions including slow motion (column 8, lines 57-64) thus enabling a user to see more detail by viewing an image slowly.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon, Lagoni, Inoue, MSN Messenger and Lortz to utilize a slow motion signal as taught by Li thus enabling a user to watch a video and see much more detail.

4. Claims 17, 38 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,553,178-B2 to Abecassis in view of U.S. Patent 6,510,209 to Cannon a U.S. Patent 6,141,058 to Lagoni, U.S. Patent 5,729,280 to Inoue, MSN Web

Messenger Reference (of Record) and U.S. Patent 6,349,410 to Lortz in further view of U.S. Patent 6,052,508 to Mincy (of record).

Regarding claims 17, 38 and 59, Abecassis discloses the use of a fast forward, rewind and frame advance function (column 40, lines 26-31).

The combination of Abecassis, Cannon, Lagoni, Inoue, MSN Messenger and Lortz does not disclose the use of a frame back function.

Mincy discloses the use of a frame back key which enables a user watching a video clip to view the previous frame (column 19, lines 47-57) thus enabling a user to view a clip in higher detail by seeing the changes for each frame.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon, Lagoni, Inoue, MSN Messenger and Lortz to utilize a frame back function as taught by Mincy thus enabling a user to view a clip in higher detail by seeing the changes for each frame.

5. Claims 18, 39, and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,553,178-B2 to Abecassis in view of U.S. Patent 6,510,209 to Cannon U.S. Patent 6,141,058 to Lagoni, U.S. Patent 5,729,280 to Inoue, MSN Web Messenger Reference (of Record) and Lortz in further view of the ReplayTV manual (of record).

Regarding claims 18, 39, and 60, Abecassis discloses the use of a skip function (column 39, lines 53-58).

The combination of Abecassis, Cannon, Lagoni, Inoue, MSN Messenger and Lortz does not disclose utilizing a jump signal to display a program from the current point of transmission.

The ReplayTV manual discloses the use of a button on a remote control that enables a user to return to a live broadcast after pausing, rewinding or stopping a video stream, thus enabling a user to skip unwatched portions of a video stream.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Abecassis, Cannon, Lagoni, Inoue, MSN Messenger and Lortz to utilize a jump signal to return to live display as taught by ReplayTV, so that a user could skip unwanted portions of the video without having to watch it via a fast forward or segment jump command.

Allowable Subject Matter

6. Claims 3, 5, 19-21, 24, 26, 40-42, 45,47, and 61-63 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hunter B. Lonsberry
Primary Examiner
Art Unit 2623

HBL